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## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2010- 0142- Newning Avenue Townhomes

**P.C DATE:** Sepetember 14, 2010

**ADDRESS:** 1307 Newning Avenue

**OWNER/APPLICANT:** Shamrock Builders (Brenda Reese)

**AGENT:** Brenda Reese

**ZONING FROM:** SF-3-NP

**TO:** SF-3-CO-NCCD-NP

**AREA:** 0.46 acres (18,992 sq. ft.)

**SUMMARY STAFF RECOMMENDATION:** Staff recommends approval of SF-3-NCCD-NP (n Family Residence-Conditional Overlay-Neighborhood Conservation Combining District-Neighborhood Plan) district zoning. The conditional overlay will limit the maximum density to one dwelling unit per subdivided lot of 9,000 square feet.

**DEPARTMENT COMMENTS:** The property is currently zoned SF-3-NP and developed with a duplex residential structure. The owners of the property seek to convert the existing duplex into two separate units in order for fee-simple financing for individual purchase. To facilitate this process, the owners and the neighborhood association have agreed to included the property into the NCCD and allow a site specific amendment to allow a two-family residential use on the site. This will provide for the individual lots and their dwelling units to be sold independently without the need for a condominium regime. No additional construction or subdivision is planned for the property, and the owners have agreed to limit the density to the existing one dwelling unit per subdivided lot.

**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b>  | <b>LAND USES</b> |
|--------------|----------------|------------------|
| <i>Site</i>  | SF-3-NNCD-NP   | Duplex           |
| <i>North</i> | MF-4-NCCD-NP   | Multifamily      |
| <i>South</i> | SF-3-NCCD-NP   | Single Family    |
| <i>East</i>  | SF-3-NCCD-NP   | Single Family    |
| <i>West</i>  | MF-2-H-NCCD-NP | Multifamily      |

**NEIGHBORHOOD PLAN:** South River City Neighborhood Plan

**TIA:** Waived

**WATERSHED:** Blunn Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

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**NEIGHBORHOOD ORGANIZATIONS:**

South River City Citizens  
South Central Coalition  
Austin Neighborhoods Council  
Bouldin Creek Neighborhood Association  
Terrell Lane Interceptor Association  
Barton Springs/Edwards Aquifer Conservation District

**SCHOOLS:**

Galindo Elementary School  
Fulmore Middle School  
Travis High School

**CASE HISTORIES**

| NUMBER        | REQUEST   | COMMISSION                            | COUNCIL   |
|---------------|---|---------------------------------------|---|
| NPA-05-0022   | Greater South River City Combined Neighborhood Plan | 9/13/2005; APVD                       | 9/29/2005; APVD   |
| C14-05-0139   | Greater South River City Combined Neighborhood Plan | 9/13/2005; APVD STAFF REC 8-1, MM-NO) | 9/29/05; APVD SO RIVER CITY NPCD (6-0)                            |
| C14-2010-0039 | SF-3-NP to SF-5-CO-NP                               | 5/11/10; Denied request (8-0)         | Withdrawn and resubmitted as C14-2010-0142 per Council resolution |

**BASIS FOR RECOMMENDATION**

1. ***Zoning should allow for reasonable use of the property.***

The recommended zoning will limit the density and site development regulations to single family standards while expanding urban family residence options.

2. ***Zoning changes should promote a balance of intensities and densities.***

The recommended zoning will promote a transition and compatibility with adjacent and nearby zoning districts, land uses, and development intensities, and will be consistent with approved and existing densities.

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## EXISTING CONDITIONS

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Blunn Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **Water and Wastewater**

If the landowner intends to serve the site with City of Austin water and wastewater utilities, the landowner, at own expense will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

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**Transportation**

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

**Existing Street Characteristics:**

| Name           | ROW | Pavement | Class     | Sidewalk? | Bus Route? | Bike Route? |
|----------------|-----|----------|-----------|-----------|------------|-------------|
| Newning Avenue | 70  | 27       | Collector | No        | No         | NO          |

**CITY COUNCIL DATE:** September 23, 2010

**ACTION:**

**ORDINANCE READINGS:** 1st 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Stephen Rye

**PHONE:** 974-7604  
[stephen.rye@ci.austin.tx.us](mailto:stephen.rye@ci.austin.tx.us)

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**RESOLUTION NO.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

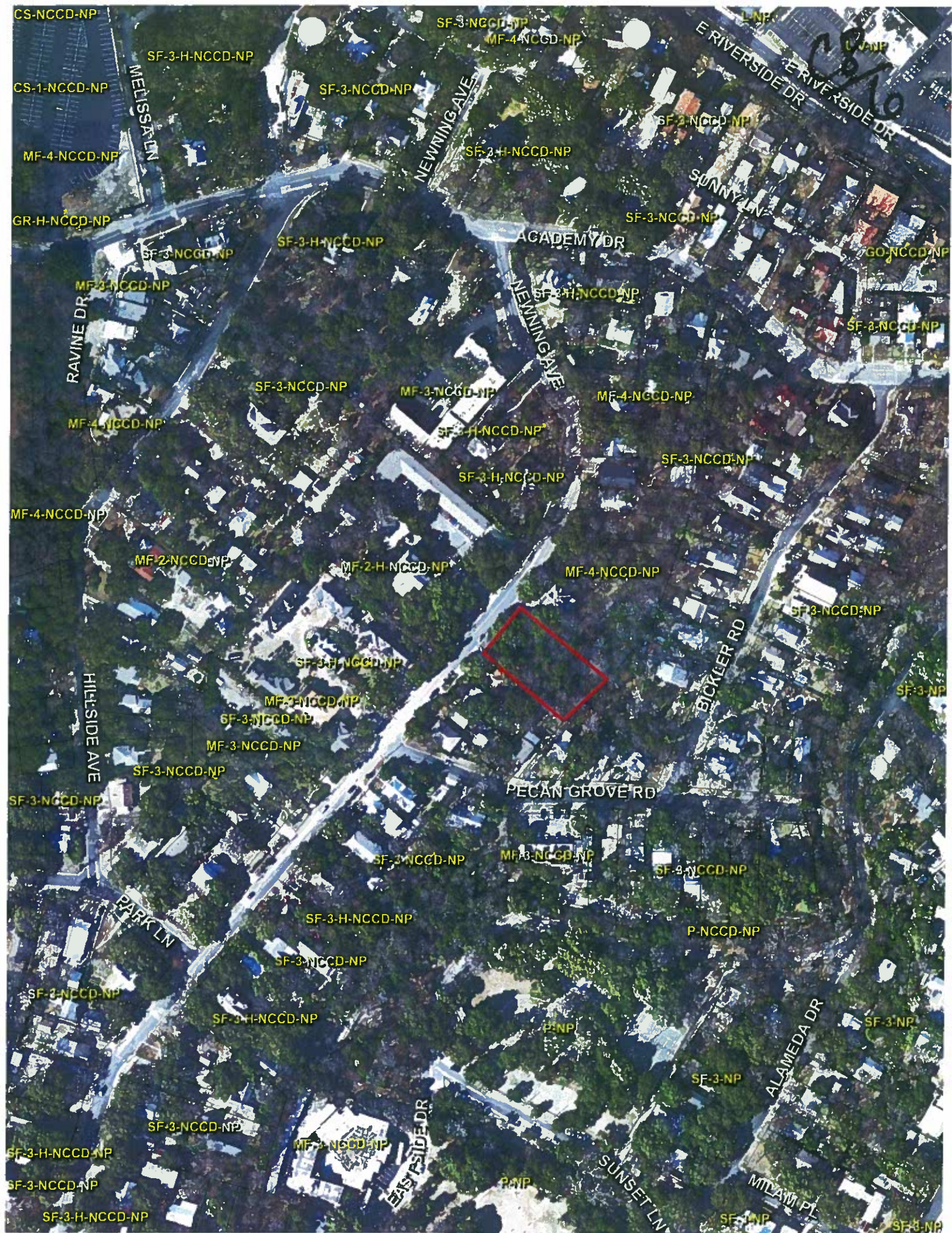
The City Council initiates the rezoning of 1307 Newning Avenue from family residence - neighborhood plan (SF-3-NP) to family residence-conditional overlay-neighborhood conservation combining district zoning (SF-3-CO-NCCD-NP) to include this property in the Fairview Park Neighborhood Conservation Combining District (NCCD). The rezoning case should include a revision to the Fairview Park NCCD that will allow a subdivision that would separate the two existing dwelling units onto separate lots while maintaining the SF-3 base district zoning. The amendment to the NCCD for this lot should consider a provision that would allow the townhouse residential use in SF-3 base district zoning with modifications or other provision that effectuates the above-stated intent.

**BE IT FURTHER RESOLVED:**

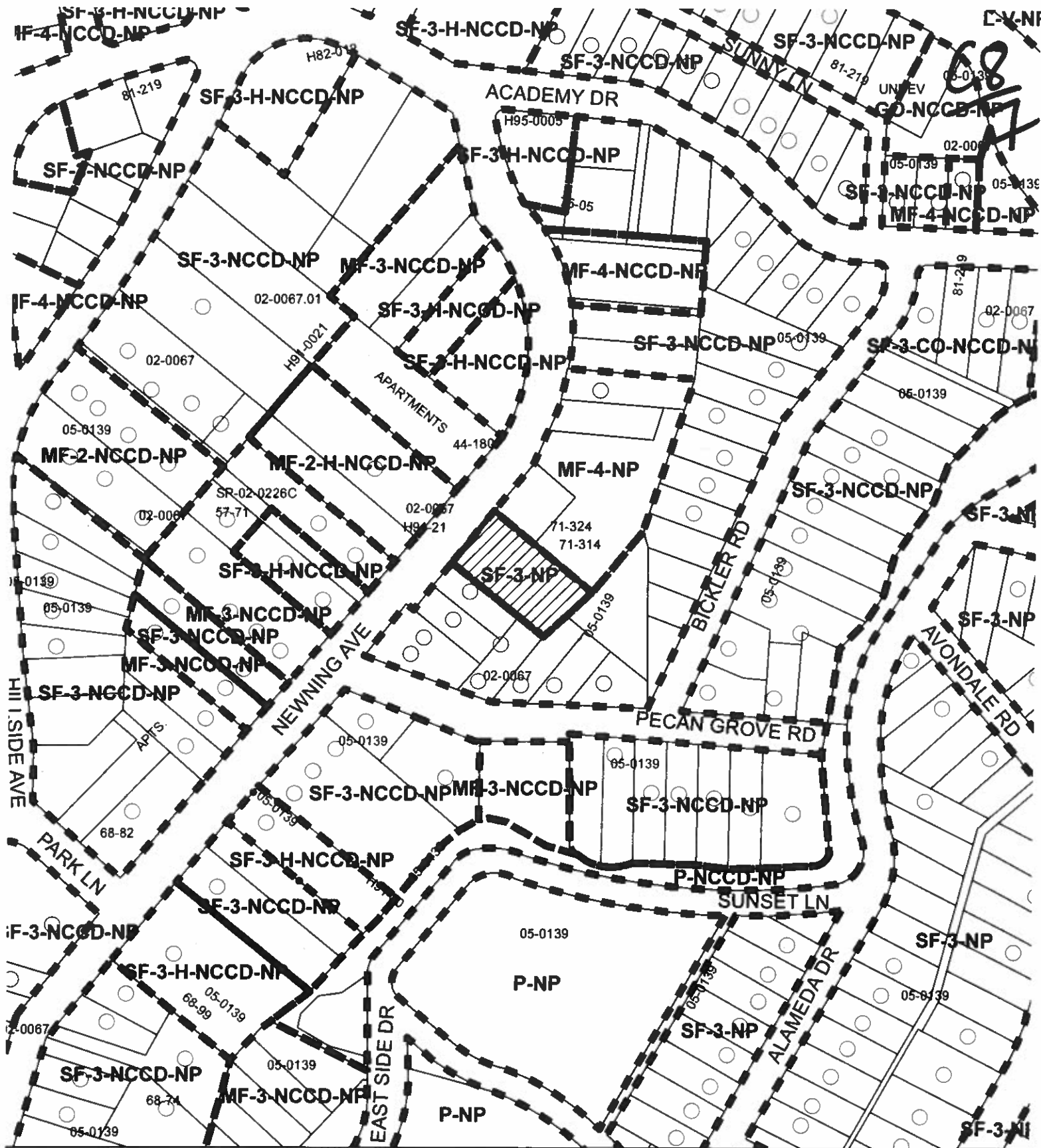
The City Manager is directed to expedite this rezoning and process the necessary resubdivision application concurrently once it is filed by the property owner.

**ADOPTED:** \_\_\_\_\_, 2010    **ATTEST:** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk

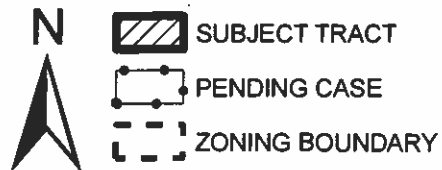








## ZONING



1" = 200'

ZONING CASE#: C14-2010-0039  
 LOCATION: 1307 NEWNING AVE  
 SUBJECT AREA: 0.460 ACRES  
 GRID: J20  
 MANAGER: STEPHEN RYE



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.